THE CONSTITUTION OF INDIA.

G. N., L. D., No. 7648, dated 6th June 1950 (B. G., Pt. IV-A, p. 333). A. 208 (3)

In exercise of the powers conferred by clause (3) of article 208 of the Constitution of India, and in supersession of the Government Notification in the Legal Department, No. 1452, dated the 10th February 1950, the Governor of Bombay, after consultation with the Honourable the Speaker of the Bombay Legislative Assembly and the Honourable the Chairman of the Bombay Legislative Council, is hereby pleased to make the following rule, namely :—

Communications between the two Houses of the Legislature of the State of Bombay shall be made by messages and message from one House to the other shall be sent by the Secretary of the one to the Secretary of the other.

G. N., F. D., No. 2624/33-WM, dated 31st March 1950 (B. G., Pt. IV-A, p. 128). A. 283 (2)

In exercise of the powers conferred by clause (2) of article 283 of the Constitution of India, the Governor of the State of Bombay is pleased to make the following rule, namely :—

"The custody of the consolidated fund of the State of Bombay, the payment of moneys into that fund, the withdrawal of moneys therefrom, the custody of public moneys other than those credited to that fund received by or on behalf of the Government of the State of Bombay, their payments into the public account of the State of Bombay and the withdrawal of moneys from such account and all other matters connected with or ancillary to the matters aforesaid shall be regulated by the rules made by the Provincial Government of the Province of Bombay or by any person authorised by it in that behalf under section 151 of the Government of India Act, 1935, and in force on the 25th day of January 1950 regulating such matters in relation to moneys received on account of the revenues of the said Province, in so far as such rules are not inconsistent with the provisions of the said Constitution, and the said rules, in their application to the aforesaid matters, shall be read subject to all necessary modifications."

G. R., H. D., No. 1758/6, dated 26th January 1950. A. 299 (1)

Amended by G. R., H. D., No. 1758/6, dated 24th July 1950.

In exercise of the powers conferred by clause 1 of article 299 of the Constitution of India and of all other powers enabling him in this behalf, the Governor of Bombay is pleased to direct that the undermentioned classes of contracts and assurances of property made in the exercise of the executive authority of the State of Bombay shall be executed as follows :—

1.	All deeds and instruments relating to matters other than those hereinafter specified.	By a Secretary to Government.
2.	Contracts for the supply of articles of dead stock or petty supplies.	By the Government Officer for whose use such articles or petty supplies are required, or by any Government Officer to whom such officer is subordinate.
3.	Contracts for the sale of useless unclaimed or confiscated articles.	By the Government Officer in whose office such useless articles are or by any Government Officer to whom such Officer is subordinate.

4.	Contracts for lease or sale of Government land or buildings.	By the chief local officer of the Department in whose charge such land or buildings are or in the case of the Agricultural Department by the Head of Section concerned in that Department provided the terms of the contract for lease or sale have been previously approved by the Director of Agriculture.
5.	Contracts for hire or purchase of land or buildings for Government, other than residential buildings, required for rent paying Government servants.	By the chief local officer of the Department for which such land or buildings are to be hired or purchased or in the case of the Police Department by the District Superintendent of Police concerned and in the case of the Agricultural Department by the Head of Section concerned in that Department provided the terms of the contract for hire or purchase have been previously approved by the Director of Agriculture.
5A.	Contracts for hire or purchase of private buildings with or without lands adjoining thereto, for use as residences for rent paying Government servants.	By the Executive Engineer of the Division concerned.
6.	Contracts and other instruments for the purchase, supply and conveyance or carriage of building materials, stores, machinery, etc., and contracts for petty construction and repairs and for public works of every description which are not executed by the Public Works Department.	By the chief local officer of the Department by which such works are to be executed or by an Assistant or Deputy Collector if the work is executed by the Revenue Department and in the case of the Agricultural Department by the Head of the Section concerned in that Department provided the terms of the contract and other instruments of purchase, supply etc., have been previously approved by the Director of Agriculture.
7.	Contracts and other instruments relating to house buildings advances.	By the authorities granting the advances and in the case of the Agricultural Department by the Head of the Section concerned in that Department provided the terms of the contract or other instruments are approved by the Director of Agriculture.
8.	Contracts and other instruments relating to advances under the State-aided building scheme for the purchase of plots in the Suburban Schemes of the Development Department or for building houses thereon.	By the Collector, Bombay Suburban District.

8A. Agreements in respect of telephone installations.	By the Heads of Offices concerned.
8B. Agreements in connection with the Emergency Petrol Scheme.	By the Emergency Transport Officer.
8C. Contracts in respect of the hire of motor vehicles.	By the Provincial Transport Controller.

TREASURIES AND ACCOUNTS OFFICES.

9. Security Bonds or mortgage deeds given as security in connection with the employment of Officers as Treasurers and Shroffs in District or Sub-District Treasuries and agreements entered into with such officers.	By Collectors of Districts.
10. Security Bonds or mortgage deeds given as security in connection with the employment of Treasurers, Cashiers or Clerks in Account Offices, charged with the disbursement of money or the custody and handling of securities.	By the Head of the Office.
11. Instruments relating to the re-assignment of insurance policies which are assigned to the Secretary of State for India in accordance with the rules relating to the General Provident Fund.	By the Account Officer of the Fund defined in the rules of the Fund.
12. Deeds of re-conveyance of security given by shroffs in District and Sub-District Treasuries.	By Collectors of Districts.

CIVIL SUPPLIES DEPARTMENT.

12A. All contracts and instruments relating to the purchase, sale, supply, conveyance, carriage, handling, inspection and clearance of goods, materials, stores, foodgrains, machinery, etc., hiring of godowns, insurance policies, indemnity bonds and security bonds for the due performance of contracts.	By Secretary to Government, Civil Supplies Department, Supply Commissioner, Joint Secretary to Government, Directors of Civil Supplies, Deputy Secretary, Under Secretary, Deputy Directors of Civil Supplies, Assistant Directors of Civil Supplies, Food Controller, Assistant Food Controller, Foodgrains, Inspection Officers, Controller of Government Grain Shops, Assistant Controllers of Government Grain Shops, Controller of Rationing, Provincial Textile Controller, and Collectors of Districts or other gazetted officers authorised by them.

12B.	All contracts and instruments relating to the purchase, sale, supply, conveyance, carriage, handling, inspection and clearance of Milk for the Government Milk Distribution Scheme.	By Milk Commissioner, Bombay.

PUBLIC WORKS DEPARTMENT.

13.	All instruments relating to the purchase, supply and conveyance or carriage of materials, stores, machinery, etc.	By Secretary to Government, Chief Engineer, Superintending Engineers, Electrical Engineer to Government, Divisional Officers, Assistant Executive Engineers, Assistant Engineers (I), Assistant Engineers (II), Deputy Engineers and Sub-Divisional Officers.
14.	All instruments relating to the execution of works of all kinds, connected with buildings, bridges, roads, canals, tanks, reservoirs, docks and harbours and embankments and also instruments relating to the construction of water-works, sewage works, the erection of machinery and the working of coal mines.	By Secretary to Government, Chief Engineer, Superintending Engineers, Electrical Engineer to Government, Divisional Officers, Assistant Executive Engineers, Assistant Engineers (I), Assistant Engineers (II), Deputy Engineers and Sub-Divisional Officers.
15.	Bonds of auctioners and security bonds for the due performance and completion of works.	By Secretary to Government, Chief Engineer, Superintending Engineers, Electrical Engineer to Government, Divisional Officers, Assistant Executive Engineers, Assistant Engineers (I), Assistant Engineers (II), Deputy Engineers and Sub-Divisional Officers.
16.	Security bonds for the due performance of their duties by Government servants whom the officers specified have power to appoint.	By Secretary to Government, Chief Engineer, Superintending Engineers, Electrical Engineer to Government, Divisional Officers, Assistant Executive Engineer, Assistant Engineers (I), Assistant Engineers (II), Deputy Engineers, Sub-Divisional Officers, Consulting Public Health Engineer to Government.

17.	Leases for grazing cattle on canal banks or road-sides; for fishing in canals; for the cultivation of land under the Irrigation Department; leases of water for irrigation and other purposes; and leases of water-power; and instruments relating to the sale of grass, trees on road-side and in the Compound of Government building, trees, fruit and other miscellaneous produce on road-sides or in plantations.	By Chief Engineer, Superintending Engineers, Divisional Officers and such Assistant Executive Engineers, Assistant Engineers (I), Assistant Engineers (II), Deputy Engineers and selected subordinates holding Sub-Divisional charges as may be authorised by Executive Engineers.
17A.	Licences to regularise projections such as balconies, windows and other like projections on or over Government land.	In the City of Bombay by the Executive Engineer, Presidency Division, and elsewhere by the Executive Engineer of the District.
18.	Leases of houses, land or other immoveable property, provided that the rent reserved shall not exceed Rs. 5,000 a month.	By Chief Engineer, Superintending Engineers, Electrical Engineer to Government and Divisional Officers.
19.	All instruments connected with reconveyance of property given as security.	By Chief Engineer, Superintending Engineers, Electrical Engineer to Government and Divisional Officers.
20.	Agreements for the recovery of fines on account of drift wood or other timber passing into a canal.	By Chief Engineer, Superintending Engineers, Electrical Engineer to Government and Divisional Officers.
21.	Instruments connected with the collection of farming of tools at bridges or ferries or other means of communication provided by Government.	By Chief Engineer, Superintending Engineers, Divisional Officers and Collectors of Districts.
22.	Agreements relating to the loan of tools and plant to contractors and others.	By Executive Engineers.
23.	Agreements for catering contracts in hostels and tiffin rooms and for the protection of conveyances belonging to the staff working in public buildings.	By Superintending Engineers.

REVENUE DEPARTMENT.

24. Sanads—	
(*a*) continuing or confirming exemption from payment of land revenue, or (*b*) continuing or confirming any pension or grant of money or land revenue, or (*c*) confirming watan service commutation settlements, or guaranteeing cash payment in lieu of abkari or other rights,	By Collectors of Districts.
(*d*) granted under section 133 of the Bombay Land Revenue Code, 1879, or any other law for the time being in force relating to the survey of towns and cities,	By the Special Officer appointed by Government for the purpose.
(*e*) for the planting of trees in open places in villages.	By Assistant or Deputy Collectors.
25. Deeds and contracts and instruments relating to land or buildings, or to any benefit arising out of land or to water, or to any benefit arising out of water or to land revenue.	In the City of Bombay, by the Collector of Bombay; elsewhere by the Collectors of Districts or by the Assistant or Deputy Collectors placed in charge of the revenue administration of one or more talukas under section 10 of the Bombay Land Revenue Code, 1879, or any other subordinate revenue officers to whom the powers of a Collector under the Bombay Land Revenue Code are delegated by the Collector; or in any business connected with the duties of Talukdari Settlement Officer or of the Salsette Development Officer by those officers respectively.
25A. Agreement in form B prescribed under the Bombay Land Requisition (Determination of Compensation) Rules, 1949.	In Greater Bombay by the Assistant Controller of Accommodation, Bombay.
26. Contracts for the farm of tolls, taxes, duties, cesses or revenues of any description.	By Collectors of Districts or by the Heads of the Departments by which such tolls, duties, cesses or revenues are levied.

27. Contracts for the erection or repairs of boundary marks.	By Revenue Officers not lower in rank than Circle Inspectors.
28. Leases of the property of a Co-operative Housing Society to which Government is a party.	By the Registrar of Co-operative Societies.
28A. Agreements in respect of scheme for grant of loans and subsidies to artisans for purchase of tools and appliances.	By Registrar of Co-operative Societies, and Joint Registrar for Industrial Co-operatives and Village Industries.
28B. Agreements in respect of grants to educated unemployed persons to start industries of their own or to set up in business or trade connected therewith.	
29. Agreements with local bodies (Chapter IV of the Bombay Land Acquisition Manual).	By Collectors of Districts.
30. Agreements with companies under section 41 of the Land Acquisition Act.	By the Secretary to Government when the agreement relates to big schemes, otherwise by Collectors of Districts.
31. Contracts entered into by Agricultural scholars who get scholarships.	By the Director of Agriculture or by the Head of Section concerned in the Agricultural Department provided the terms of the contract have been previously approved by the Director of Agriculture.
32. Contracts for the supply of articles procured in local markets for the Bombay Veterinary College.	By the Director of Veterinary Services, Bombay Presidency.
33. Agreements and deeds entered into with District Local Boards or Municipalities in respect of building grants made by Government to Veterinary Dispensaries.	By the Director of Veterinary Services, Bombay Presidency.
33A. Agreements of service with the Rural Assistants.	By Collectors of Districts.

AGRICULTURAL DEPARTMENT.

33B. Agreements to be executed by persons or bodies applying for loan of boring machines.	By the Agricultural Engineer to Government.

33C. Agreement to be executed by the purchasers of the produce of the Government Fruit Experiment Station, Kirkee, and the Modibag Agricultural College, Poona.	By the Horticulturist to Government, Poona.
33D. Agreement of service to be executed by the students under training at the various Agricultural Training Centres (e.g., Agricultural Training Centres, Horticultural Training Classes, etc.).	By the Director of Agriculture or by the Head of the Section concerned in the Agricultural Department provided the terms of the contract have been previously approved by the Director of Agriculture.

FOREST DEPARTMENT.

34. Contracts and other instruments in matters connected with the administration and working of forests and with the business of the Forest Department generally.	By the Chief Conservator, Conservators and Deputy and Assistant Conservators of Forests to such extent and within such limits as Government may prescribe by notification in the *Official Gazette*.

JAIL DEPARTMENT.

35. Contracts for the supply of articles of any description for the use of Jails or regarding the sale of articles manufactured in Jails.	By the Inspector General of Prisons or by Superintendents of Jails.

POLICE DEPARTMENT.

36. Contracts for the supply of articles procured in the local markets for the Police.	By the Commissioner of Police in the City of Bombay, and elsewhere by the Inspector General of Police, Deputy Inspector General of Police or by District Superintendents of Police.
37. Contracts for the supply of funerals in the case of deceased pauper Christians.	By the Commissioner of Police, Bombay.

EDUCATIONAL DEPARTMENT.

38. Agreements and deeds, etc., with normal scholars and apprentices in Engineering Industrial Colleges or other Professional Colleges, etc.	By Educational Inspectors or by the Principals of such Colleges.
39. Agreements and deeds entered into with Managers of Educational Institutions in respect of Government grants-in-aid or in respect of the lease of Government School buildings.	By the Director of Public Instruction, Bombay.

39A.	Agreements with Municipalities in respect of conservancy service in hostels attached to Training institutions.	By Educational Inspectors.

MEDICAL DEPARTMENT.

40.	Contracts for the supply of articles procured in the local markets for hospitals, lunatic asylums, etc.	By the local Medical Officers in charge of such hospitals, asylums, etc., and in the case of Bombay City by the Superintendent, J. J. Group of Hospitals, Bombay.
41.	Contracts entered into with women medical students studying at the medical schools and colleges in the Bombay Presidency and with their parents, guardians or friends and contracts entered into with scholars studying at the Ayurvedic and Unani Tibbi College, Delhi, and with their parents, guardians or friends.	By the Surgeon General with the Government of Bombay.
41A.	Agreements entered into with subsidised medical practitioners.	By the Surgeon General with the Government of Bombay.

EXCISE DEPARTMENT.

42.	Licences for the manufacture and supply of liquor.	By the Commissioner of Excise.
43.	Licences for the sale of excisable articles and opium.	By the Collectors as defined in the Bombay Abkari Act and the Bombay Opium Rules.

DEVELOPMENT DEPARTMENT.

44.	(*a*) Contracts for the supply to the Superintendent, Government Printing and Stationery, of :— (1) stationery articles, (2) papers required for printing, (3) drawing articles, (4) bicycles and their accessories, (5) kamblies, (6) umbrellas, (7) typewriters and their accessories, (8) electric bulbs, (9) scales and weights, (10) packing cases, (11) binding leather. (*b*) Contracts given by the Superintendent, Government Printing and Stationery, in regard to carting and stitching of peons' uniforms.	By the Superintendent, Government Printing and Stationery, Bombay.

44A. Contracts for the supply of articles, *other* than articles of dead stock or petty supplies to the Vaccine Institute, Belgaum.	By the Assistant Director of Public Health-in-Charge, Vaccine Institute, Belgaum.
44B. Agreements in respect of the grant of subsidies and loans to artisans for the purchase of appliances and tools.	By the Director of Industries.
44C. Agreements in respect of the grant of loans to the purchasers of the producer gas plants.	By the Director of Industries.
44D. Agreements in respect of grants to educated unemployed persons to start industries of their own or to set up in business or trade connected therewith.	By the Director of Industries.
44E. Agreements in respect of sale of "ghanis" to "telis" on subsidy and loan basis.	By the Joint Registrar for Industrial Co-operative and Village Industries.
44F. Contracts for the supply of articles required by Government Departments and indented through the Central Stores Purchase Organisation.	By the Director of Industries and Central Stores Purchasing Officer.

DEPARTMENT OF SUPPLY.

45. (1) Contracts for the purchase, supply and conveyance or carriage of stores. (2) Security bonds for the due performance and completion of the aforesaid contracts. (3) All instruments concerning the reconveyance of property given as security for the due performance and completion of the aforesaid contracts.	By all Officers of the Supply Department who are authorised for the time being to execute contracts on behalf of the Central Government within the limits of their authority as are or may from time to time be imposed by the Central Government.

PUBLIC HEALTH DEPARTMENT.

46. Contracts for the supply of calves on hire for the lymph at the Vaccine Institute, Belgaum.	By the Assistant Director of Public Health in Charge, Vaccine Institute, Belgaum.

STATE TRANSPORT DEPARTMENT.

47.	Deeds, contracts and other instruments relating to the Scheme for the Nationalisation of Road Transport.	By the Provincial Motor Transport Controller, Bombay.

2. The orders contained in Government Resolution in the Home Department, No. 5940/3-II, dated the 1st April 1937, as amended from time to time should be deemed to be cancelled.

G. N., P. & S. D., No. 1763/34, dated 11th October 1951 (B. G., Pt. IV-A, p. 447).

A. 320 (3) Bombay Public Service Commission (Consultation) Regulations, 1951.

Amended by G. N., P. & S. D., No. 1763/34, dated 10th July 1952.

Amended by G. N., P. & S. D., No. 1763/34, dated 27th November 1952.

In exercise of the powers conferred by the proviso to clause (3) of article 320 of the Constitution of India, and in supersession of the regulations published in Government Notification, Political and Services Department, No. 1763/34, dated the 1st April 1943, the Governor of Bombay is hereby pleased to make the following regulations, namely :—

1. These regulations may be called the Bombay Public Service Commission (Consultation) Regulations, 1951.

2. In these regulations unless there is anything repugnant in the subject or context—

(*a*) " Constitution " means the Constitution of India.
(*b*) " Commission " means the Bombay Public Service Commission.
(*c*) " Government " means the Government of Bombay.
(*d*) " Governor " means the Governor of Bombay.
(*e*) " Schedule " means the Schedule appended to these regulations.

3. It shall not be necessary to consult the Commission in any of the matters specified in paragraphs (*a*) and (*b*) of clause (3) of article 320 of the Constitution in respect of—

(*a*) the posts and services specified in the Schedule, and

(*b*) temporary appointments to all other posts and services for a period not exceeding or not likely to exceed—

(*i*) four months, in the case of posts in the Subordinate Secretariat Service (Ministerial Branch) including the subordinate staff in the Directorate of Publicity, Junior Translators, Supervisors, Scrutinizers (English Branch), Assistant to the Oriental Translator to Government and the other clerical staff in the office of the Oriental Translator to Government and the staff of the Record Office, if no candidate from the Select List prepared by the Commission is available for appointment ; or

(*ii*) one year in any other case.

4. It shall not be necessary for the Commission to be consulted in making promotion in the Subordinate Secretariat Service (Ministerial Branch) including the subordinate staff in the Directorate of Publicity, the clerical staff in the office of the Oriental Translator to Government and the staff of the Record Office, in making transfers within the said service and on the suitability of candidates for such promotions or transfers.

4-A. It shall not be necessary for the Commission to be consulted in any of the matters specified in paragraphs (*a*) and (*b*) of clause (3) of article 320 of the Constitution of India in respect of posts sanctioned in connection with the implementation of the Community Projects of Government in so far as the recruitment for such posts is made from among persons who are not in service of the Government of Bombay.

5. It shall not be necessary for the Commission to be consulted in any of the matters specified in paragraphs (*a*), (*b*) and (*c*) of clause (3) of Article 320 of the Constitution in respect of the posts of Inspectors of Excise, Group II, except with regard to appointments to such of the said posts as are not filled by the Director of Prohibition and Excise by promotion within the Department.

6. It shall not be necessary to consult the Commission in any matter relating to Commissioned Officers of the Armed Forces of India holding Civil posts in connection with the affairs of the State of Bombay.

7. It shall not be necessary for the Commission to be consulted in making promotions in the Subordinate Civil Judicial Service.

8. It shall not be necessary for the Commission to be consulted regarding the suitability of a candidate to be appointed in any country other than India to a post or service, unless applications for the same post or service have also been invited in the State of Bombay.

9. It shall not be necessary for the Commission to be consulted in respect of any orders passed under the Bombay Civil Service (Safeguarding of National Security) Rules, 1949.

10. It shall not be necessary for the Commission to be consulted on a disciplinary matter by any authority other than Government.

11. It shall not be necessary for the Commission to be consulted—

(*i*) before Government passes an original Order—

(*a*) of censure,

(*b*) withholding an increment or promotion, including stoppage at an efficiency bar, or

(*c*) placing an officer under suspension,

or

(*ii*) if it is proposed to impose any other penalty, until the case is ready for final decision.

12. It shall not be necessary for the Commission to be consulted by Government on an appeal from, or a memorial against, an order of suspension pending enquiry into charges against the person suspended.

13. It shall not be necessary for the Commission to be consulted before an order is passed rejecting a memorial or petition in a disciplinary case, where the memorialist or petitioner has or had a right of appeal against the order which is the subject of the memorial or petition.

14. It shall not be necessary for the Commission to be consulted in any case—

(*a*) relating to the termination of the services of an officer on probation if the termination is on grounds arising out of the specific conditions laid down by the appointing authority e.g., want of a vacancy, failure to acquire prescribed special qualifications or to pass prescribed test;

(*b*) relating to the discharge or reversion of an officer otherwise than as penalty ;

(*c*) relating to the termination of the employment of an officer in accordance with the terms of his contract of employment save when employment is terminated for misconduct ;

(*d*) relating to the imposition of any penalty laid down in any rule or order for failure to pass any test or examination within a specified time ; or

(*e*) in which the Commission has, at any previous stage, given advice as to the order to be passed and no fresh question has thereafter arisen for determination.

15. It shall not be necessary for the Commission to be consulted in any disciplinary matter relating to the posts of supervisors, Inspectors and Assistant Inspectors in the Motor Vehicles Department, the Subordinate Secretariat Service (Ministerial Branch) including the subordinate staff in the Directorate of Publicity, Junior Translators, Supervisors, Scrutinizers (English Branch), Assistants to the Oriental Translator to Government and the other clerical staff in the office of the Oriental Translator to Government and the staff of the Record Office and the posts and services specified in the Schedule.

16. Nothing in the foregoing Regulations shall be construed as preventing Government from initiating proceedings in disciplinary matters without consulting the Commission.

THE SCHEDULE.

1. All services and posts, which are filled by the appointment of—

(*a*) "Cadre officers" as defined in the Indian Civil Administrative Cadre Rules, 1950, and the Indian Police Cadre Rules, 1950, and

(*b*) officers of the former Secretary of State's Services who have continued in service under Government after the 15th August 1947.

2. All posts on the personal and secretarial establishment of His Excellency the Governor.

3. Promotion posts in the Indian Administrative Service and Indian Police Service.

4. The Sheriff of Bombay.

5. Honorary posts of Medical Officers.

6. The Advocate General.

7. (*i*) The Solicitors to Government.
(*ii*) The Public Prosecutor for Bombay.
(*iii*) The Assistant Public Prosecutor for Bombay.

8. (*i*) The Government Pleader, High Court, Bombay.
(*ii*) The Assistant Government Pleaders, High Court, Bombay.

9. The Government Pleader in the City Civil Court, Bombay.

10. The Government Advocate in the Court of Small Causes, Bombay.

11. (*i*) The District Government Pleaders and Public Prosecutors.
(*ii*) The Assistant Government Pleaders and Assistant Public Prosecutors.
(*iii*) The Honorary Assistants to District Government Pleaders.
(*iv*) The Sub-Government Pleaders.

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12. The Official Assignee, the Deputy Official Assignee, the First Assistant to the Official Assignee and the Second Assistant to the Official Assignee, Bombay.

13. All posts on the staff attached to the High Court, Bombay, appointments to which are made by the Chief Justice of the said High Court under clause (1) of article 229 of the Constitution.

14. Part-time Professors in the Government Law College, Bombay.

15. The President of the Industrial Court, Bombay, where his appointment is made from persons who are or have been the Judges of High Courts in India.

16. The President and members of the Bombay Co-operative Tribunal.

16A. The Chairman and non-official member of the Bombay Revenue Tribunal.

17. The Member or Chairman of a Tribunal constituted under the Industrial Disputes Act, 1947.

18. (*i*) The Director of Publicity.
(*ii*) The Deputy Director of Publicity.
(*iii*) The Assistant Directors of Publicity.
(*iv*) The News Editor.
(*v*) The Assistant News Editor.
(*vi*) The Information Officer.
(*vii*) The Assistant Information Officer.
(*viii*) The Field Publicity Officer.

19. The Secretary to the Honourable the Chief Minister.

20. The Junior Lecturers in the Medical Colleges, including the C. E. M. Dental College, Bombay.

21. All other services and posts to which appointments are made by authorities subordinate to Government except—

(*a*) the Subordinate Secretariat Service (Ministerial Branch) including—

(*i*) the Upper Division in that service (so far as recruitment to it is not made by promotion from within the Department);

(*ii*) the Lower Division in that service;

(*iii*) the subordinate staff in the Directorate of Publicity;

(*iv*) Junior Translators and the clerical staff in the office of the Oriental Translator to Government;

(*v*) Supervisors and Scrutinizers in the English Branch of the office of the Oriental Translator to Government;

(*vi*) Assistants to the Oriental Translator to Government (so far as recruitment is not made by promotion of Senior Translators);

(*vii*) the staff of the Record office;

(*viii*) (*a*) Stenographers to Secretaries to Government (so far as recruitment to these posts is not made by promotion from within the Department);

(*b*) the posts of District Inspectors of Land Records and Assistant Consolidation Officers;

(*c*) the posts of Inspectors of Excise, Group II, so far as these posts are not filled by the Director of Prohibition and Excise by promotion within the Department;

(*d*) the posts of Jailors in Group I as are not filled by the Inspector General of Prisons by promotion from Jailors in Group II;

(*e*) the posts of Assistant Managers in Government Presses;

(*f*) the posts of Supervisors, Inspectors and Assistant Inspectors in the Motor Vehicles Department so far as these posts are not filled by the State Transport Officer by promotion;

(*g*) the posts of Superintendents of Minor Certified Schools.

G. N., E. D., No. MBC. 2550, dated 30th August 1952 (B. G., Pt. IV-A, p. 965). **Fifth Schedule Bombay Tribes Advisory Council Rules, 1952.**

In exercise of the powers conferred by sub-paragraph (3) of paragraph 4 of Part B of the Fifth Schedule to the Constitution of India, the Governor of Bombay is pleased to make the following rules, namely :—

1. *Short title.*—These rules may be called the Bombay Tribes Advisory Council Rules, 1952.

2. *Definitions.*— In these rules, unless there is anything repugnant in the subject or context,—

(*a*) "Assembly" means the Bombay Legislative Assembly;

(*b*) "Council" means the Tribes Advisory Council established in the State of Bombay under paragraph 4 of Part B of the Fifth Schedule to the Constitution of India;

(*c*) "Governor" means the Governor of Bombay;

(*d*) Words and expressions used in these rules but not defined shall have the meanings assigned to them in the Constitution of India.

3. *Constitution of Council.*— (1) The Council shall consist of the following twenty members, namely :—

(*i*) The Minister in charge of the Backward Class Depatment, *ex-officio* Chairman;

(*ii*) The Deputy Minister to the said Minister, *ex-officio* Vice-Chairman;

(*iii*) The Director of Backward Class Welfare, Bombay State, *ex-officio* member and Secretary of the Council;

(*iv*) Fifteen members to be elected by the Assembly from amongst the elected representatives of the Scheduled Tribes in the Assembly;

(*v*) Two other members to be nominated by the Governor in accordance with the provisions of rule 4.

(2) The names of the members including the Chairman, the Vice-Chairman and the Secretary shall be published in the *Official Gazette.*

4. *Nomination by Governor.*—The members to be nominated under clause (*v*) of rule 3 shall be such as, in the opinion of the Governor, have special knowledge and experience of the needs of the Scheduled Tribes or the Scheduled Areas.

5. *Term of Office.*—(1) Subject to the provisions of rules 6 and 7, a person elected by the Assembly under clause (*iv*) of rule 3 shall continue to hold the office of a member of the Council only so long as he is a member of the Assembly.

(2) A person nominated by the Governor under clause (*v*) of rule 3 shall hold office of a member of the Council for a period of three years from the date of his nomination.

(3) Notwithstanding anything contained in this rule, a member of the Council may continue to hold office until a new member is elected or nominated, as the case may be, in his vacancy.

6. *Resignation of member.*—Any member other than the Chairman, Vice-Chairman, or Secretary may at any time resign his office by writing under his hand addressed to the Chairman. Such resignation shall take effect from the date on which it is received by the Chairman.

7. *Vacation of office due to absence.*—If any member other than the Chairman, Vice-Chairman or Secretary absents himself from three consecutive meetings of the Council without its permission, the Council may declare his office to be vacant.

8. *Filling up of vacancies.*—If a vacancy occurs in the office of a member of the Council, the vacancy shall be filled in the manner provided for in rule 3 or 4, as the case may be.

9. *Meetings of Council.*—(1) The Council shall ordinarily meet once in every six months at such place and on such date as the Chairman may appoint.

(2) The Chairman may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than five members of the Council, convene a special meeting of the Council. The special meeting to be convened upon a requisition of the members shall be convened within fifteen days of the receipt of the requisition.

(3) Not less than ten clear days' notice of an ordinary meeting and not less than five clear days' notice of a special meeting shall be given to every member of the Council. Such notice shall specify the place, date and time of the meeting and the business to be transacted thereat and, in the case of a special meeting convened upon requisition, the reasons mentioned in the requisition for calling such meeting.

10. *Quorum.*—Four members excluding the Chairman shall form a quorum at a meeting of the Council.

11. *Functions of Chairman and Vice-Chairman.*—It shall be the duty of the Chairman to preside at every meeting of the Council. In the absence of the Chairman, it shall be the duty of the Vice-Chairman to preside at the meeting.

12. *Scrutiny by Secretary of items of business.*—The Secretary shall examine each item of business fixed for a meeting and offer his remarks, if any, thereon. His remarks on each item shall be circulated to all members of the Council before that item is taken up for consideration at the meeting.

13. *Conduct of business.*—(1) The business to be transacted at a meeting shall consist of matters pertaining to the welfare and advancement of the Scheduled Tribes in the State which have been referred to the Council by the Governor for advice.

(2) No business shall be transacted and no proposition shall be moved or discussed at any meeting, unless it has been specified in the notice for convening the meeting:

Provided that the Chairman may in his discretion permit any business to be transacted or any proposition to be discussed at a meeting which in his opinion is of an urgent nature and which could not for reasonable cause be entered in the notice of the meeting.

(3) The items of business at a meeting shall be taken up in such order as the Chairman may direct:

Provided that if a member proposes to give priority to any particular item of business, the Chairman shall put the motion for priority to vote and shall decide the order according to the majority of votes cast for or against the motion.

(4) The advice of the Council on any matter placed before it shall be determined by a majority of votes of the members present and voting at a meeting:

Provided that in the case of an equality of votes, the Chairman or the Vice-Chairman, as the case may be, presiding at the meeting, shall have and exercise a casting vote in addition to his own vote.

(5) The decisions and opinions of the Council on matters referred to them by the Governor shall be in the form of recommendations, but any member may, within 24 hours, submit a minute of dissent in regard to any recommendations adopted by the Council and such minute shall be added to and form part of the proceedings of the meeting.

(6) The meetings of the Council shall not be open to members of the public.

14. *Power of Chairman to invite other persons to participate in debates of Council.*—Notwithstanding anything contained in sub-rule (6) of rule 13, the Chairman may invite any person other than the member of the Council to participate in the debates of the Council but such person shall not have the power of voting.

15. *Proceedings not affected by vacancy.*—No proceedings of the Council shall be called in question merely by reason of any vacancy in its membership.

16. *Travelling allowance to non-official members.*—(1) The members of the Council, elected or nominated under clause (*iv*) or (*v*) of rule 3 shall be entitled to travelling allowance in accordance with the provisions of rule 1 in section 1 of Appendix XLII-A to the Bombay Civil Services Rules Manual, Volume II.

(2) Notwithstanding anything contained in sub-rule (1), a member shall not draw travelling allowance admissible under the said sub-rule if for the same journey he has drawn travelling allowance from the Government Treasury in another capacity.

17. *Miscellaneous.*—All resolutions passed by the Council together with the minutes of dissent, if any, and all other communications from the Council shall be addressed to the Governor and a copy of the same shall simultaneously be sent to the Secretary to the Government of Bombay in the Education Department for information.